

## REISSUE PATENT APPLICATION TRANSMITTAL

<b>Address to:</b>  <b>Mail Stop Reissue Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b>	<b>Attorney Docket No.</b>	501.26379R00
	<b>First Named Inventor</b>	KAKU, Toshimitsu
	<b>Original Patent Number</b>	5,105,409
	<b>Original Patent Issue Date (Month/Day/Year)</b>	April 14, 1992
	<b>Express Mail Label No.</b>	

**APPLICATION FOR REISSUE OF:**  
(Check applicable box) ☒ Utility Patent ☐ Design Patent ☐ Plant Patent

### APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/SB/56)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent format  
(amended, if appropriate)
4. ☒ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)  
(37 C.F.R. 1.175) (PTO/SB/51 or 52)
6. ☐ Power of Attorney
7. ☒ Original U.S. Patent currently assigned? ☒ Yes ☐ No  
(If Yes, check applicable box(es))  
☐ Written Consent of all Assignees (PTO/SB/53)  
☒ 37 C.F.R. 3.73(b) Statement  
(PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix)  
or large table
9. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all of the following are necessary)
  - a. ☐ Computer Readable Form (CFR)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

10. ☒ Statement of status and support for all  
changes to the claims. See 37 CFR 1.173(c).
11. ☐ Original Patent Grant  
☐ Ribboned Original Patent Grant  
☐ Statement of Loss (PTO/SB/55)
12. ☒ Foreign Priority Claim (35 U.S.C. 119)  
(if applicable)
13. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS  
Citations
14. ☐ English Translation of Reissue Oath/Declaration  
(if applicable)
15. ☐ Preliminary Amendment
16. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
17. Other: Offer to Surrender  
Original Letters Patent

### 18. CORRESPONDENCE ADDRESS

☒ Customer Number: 020457 OR ☐ Correspondence address below

<b>Name</b>					
<b>Address</b>					
<b>City</b>		<b>State</b>		<b>Zip Code</b>	
<b>Country</b>		<b>Telephone</b>		<b>Fax</b>	

<b>Name (Print/Type)</b>	Melvin Kraus	<b>Registration No. (Attorney/Agent)</b>	22,466
<b>Signature</b>	<i>Melvin Kraus</i>	<b>Date</b>	August 5, 2003

This collection of information is required by 37 CFR 1.173. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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08/05/03 16179 U.S. PTO

PTO/SB/17 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00)

Complete if Known	
Application Number	
Filing Date	August 5, 2003
First Named Inventor	KAKU, TOSHIMITSU
Examiner Name	
Art Unit	
Attorney Docket No.	500.26379R00

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 01-2135

Deposit Account Name Antonelli, Terry, Stout & Kraus, LLP

The Commissioner authorized to: (check all that apply)

☐ Charge fees indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION					
1. BASIC FILING FEE					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	750
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					750

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	11	-20** = 0	x 18	=	0		
Indep. Claims	3	-3** = 0	x 84	=	0		
Multiple Dependent			0	=	0		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) \$ 0				

\*\*or number previously paid, if greater; For Reissues, see above.

## 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examination action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1406	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	


Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Malvin Kraus	Registration No. (Attorney/Agent)	22,466	Telephone	(703) 312-6600
Signature		Date	08/05/2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): KAKU, et al  
Filed: August 5, 2003  
Reissue of  
Patent No.: 5,105,409  
Issued: April 14, 1992  
For: METHOD AND APPARATUS FOR OPTICAL RECORDING  
AND REPRODUCING WITH TRACKING SERVO REDUCING  
TRACK OFFSET

**STATEMENT OF STATUS/SUPPORT**  
**IN ACCORDANCE WITH 37 CFR 1.173(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 5, 2003

Sir:

In accordance the requirements of 37 CFR 1.173(c), applicants note that by the present reissue application, original independent claims 1, 5 and 8 have been amended to recite the feature that a pulse width of the extracting pulses is "greater than" the writing pulse width, which feature is supported by the disclosure of U.S. Patent No. 5,105,409, as discussed below. It is noted that the other claims of U.S. Patent No. 5,105,409 are dependent claims, with claims 2-4 being dependent upon claim 1, claims 6 and 7 being dependent upon claim 5, and claims 9-11 being dependent upon claim 8. Thus, the dependent claims, although being retained without amendment, incorporate the features of the amended parent claims therein.

Referring to Fig. 3 of the drawings of U.S. Patent No. 5,105,409 and the corresponding description at col. 4, lines 28-30, Fig. 3(a) shows a writing pulse signal driving the laser diode 1, and as described in col. 5, lines 14-20, Fig. 3(e) shows the waveform of the extracting pulse signal applied from the timing pulse

generating circuit 24. As is apparent from Fig. 3(a) which illustrates the writing pulse signal having a pulse width, as shown, the extracting pulse of Fig. 3(e) has a pulse width which is greater than that of the writing pulse width as illustrated in Fig. 3(a). As indicated in col. 5, lines 16-20, "It will be seen in Fig. 3(e) that the pulse width of each extracting pulse is such that the pulse width of each writing pulse is suitably extended taking into account the frequency characteristic of TR detection system". Thus, while col. 2, lines 7 and 8, refer to "extracting pulses having a pulse width corresponding to that of writing pulses" and col. 2, lines 19-26, refer to "extracting pulses having a pulse width at least equal to that of the writing pulses or a pulse width determined while taking into account the frequency characteristics of the tracking servo signal, the track offset appearing at the time of information recording can be minimized, and the performance of the tracking servo system can be greatly improved", it is apparent from Fig. 3(e) in comparison with Fig. 3(a) that the pulse width of the extracting pulse is greater than the pulse width of the writing pulse and such feature was encompassed by the recitation in original independent claims 1, 5 and 8 of extracting pulses having a pulse width "at least equal to" the writing pulse width.

Applicants submit that it is apparent that the features as recited in amended claims 1, 5 and 8 of this reissue application have clear support in the specification and drawings of the original application, which issued as U.S. Patent No. 5,105,409.

Respectfully submitted,



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Melvin Kraus  
Registration No. 22,466  
ANTONELLI, TERRY, STOUT & KRAUS, LLP

MK/cee  
(703) 312-6600

501.26379R00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): KAKU, et al

Filed: August 5, 2003

Reissue of  
Patent No.: 5,105,409

Issued: April 14, 1992

For: METHOD AND APPARATUS FOR OPTICAL RECORDING  
AND REPRODUCING WITH TRACKING SERVO REDUCING  
TRACK OFFSET

**OFFER TO SURRENDER OF OFFICIAL LETTERS PATENT**

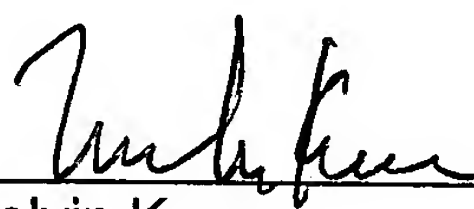
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 5, 2003

Sir:

Patentees offer to surrender the Official Letters Patent upon indication of  
allowability of this reissue application.

Respectfully submitted,

  
\_\_\_\_\_  
Melvin Kraus

Registration No. 22,466  
ANTONELLI, TERRY, STOUT & KRAUS, LLP

MK/cee  
(703) 312-6600